

**SUPREME COURT MINUTES
WEDNESDAY, NOVEMBER 15, 2006
SAN FRANCISCO, CALIFORNIA**

S092356**BOYETTE (MAURICE) ON H.C.**

Order to show cause issued. The Director of Corrections is ordered to show cause before this court when the proceeding is ordered on calendar, why the relief prayed for should not be granted on the grounds that: (1) Juror Pervies Ary concealed relevant facts or gave false answers during voir dire concerning his prior felony conviction and other contacts with the justice system; (2) Juror Pervies Ary concealed relevant facts or gave false answers during voir dire concerning the prior criminal records of his sons; (3) Juror Pervies Ary concealed relevant facts or gave false answers during voir dire concerning the fact that he had previously witnessed a violent crime, namely his son's assault of Beverly Miller; (4) Juror Pervies Ary concealed relevant facts or gave false answers during voir dire concerning his problem with alcohol and his son's drug addiction; (5) Juror Pervies Ary introduced information into the jury deliberations concerning an alleged prior murder committed by petitioner Maurice Boyette, although no evidence of such a crime was introduced at trial; and (6) Juror Christine Rennie and one other juror, at the urging of Juror Ary, during the pendency of the jury deliberations, rented and watched a videotape of the movie American Me in order to gather background information for the trial. The written return is to be filed and served on or before December 15, 2006. Respondent's request that declarations from certain jurors be "stricken in their entirety" (respondent's informal response, p. 17) is denied. (Evid. Code, section 1150.) (Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno and Corrigan, JJ.)

S146288

E036353 Fourth Appellate District, Div. 2

PEOPLE v. CONCEPCION (RYAN E.)

Petition for review granted (criminal case)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S146979

A112003 First Appellate District, Div. 3

BRODIE (STAN) v. W.C.A.B. (FIRE PROTECTION DISTRICT)

Petition for review granted (civil case)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S147030/ C051790/C051263/ C051409/C051894 Third Appellate District **WELCHER (KENNETH D.) v.****W.C.A.B. (HAT CREEK CONSTRUCTION)**

Petition for review granted (civil case)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S147051

C047366 Third Appellate District

PEOPLE v. NELSON (DENNIS)

Petition for review granted (criminal case)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S146207 A111007 First Appellate District, Div. 4 **PEOPLE v. JOHNSON (ITHIEL)**
Review granted/briefing deferred (rule 29.1) - criminal case
Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Gomez*, S140612 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.
Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S147076 H029302 Sixth Appellate District **PEOPLE v. CRUZ (CRISTIAN)**
Review granted/briefing deferred (rule 29.1) - criminal case
Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Crandell*, S134883 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.
Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S146283 H028213 Sixth Appellate District **PEOPLE v. RUBIO (JOE L.)**
The matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its opinion and consider the question whether sufficient evidence supports defendant's convictions of felony sexual battery in counts 1 and 2. (See *People v. Hayes* (1990) 52 Cal.3d 577, 631.)
Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S112982 A096731 First Appellate District, Div. 5 **PEOPLE v. BAKER (ROBERT G.)**
Pursuant to California Rules of Court rule 29.3(b), review in this matter is dismissed and the cause is remanded to the Court of Appeal, First Appellate District, Division Five. The Reporter of Decisions is directed to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed December 20, 2002, which appears at 104 Cal.App.4th 774.
Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S117796 C042068 Third Appellate District **PEOPLE v. MARICHALAR (DAMON M.)**
Pursuant to California Rules of Court rule 29.3(b), review in this matter is dismissed and the cause is remanded to the Court of Appeal, Third Appellate District. The Reporter of Decisions is directed to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed June 26, 2003, which appears at 109 Cal.App.4th 1513.
Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S136922 A102915 First Appellate District, Div. 5 **LIMITED STORES v. FRANCHISE TAX BOARD**
The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Five, with directions to vacate its decision and to reconsider the cause in light of *Microsoft Corporation v. Franchise Tax Board* (2006) 39 Cal.4th 750 and *General Motors v. Franchise Tax Board* (2006) 39 Cal.4th 773. (Cal. Rules of Court, rule 29.3(d).)
Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S143422 C045386 Third Appellate District **TOYS R US v. FRANCHISE TAX BOARD**
The above-entitled matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and to reconsider the cause in light of *Microsoft Corporation v. Franchise Tax Board* (2006) 39 Cal.4th 750 and *General Motors v. Franchise Tax Board* (2006) 39 Cal.4th 773, 788. (Cal. Rules of Court, rule 29.3(d).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S144514 **HOVEY (RICHARD ADAMS) ON H.C.**
Petition ordered withdrawn. Petitioner's "Motion to Withdraw Habeas Corpus Petition as Moot" is granted. The petition for writ of habeas corpus, filed June 21, 2006, is ordered withdrawn.

S146093 B185738 Second Appellate District, Div. 2 **PEOPLE v. TSOU (ARTHUR)**
Petition for review denied.

S146096 H027969 Sixth Appellate District **PEOPLE v. BJORN (LEE T.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S146105 H029087 Sixth Appellate District **PEOPLE v. SONGCUAN (WILFRED F.)**
Petition for review denied.

S146187 D048664/D046127 Fourth Appellate District, Div. 1 **PEOPLE v. EBERLE (JAMES C.)**
Petition for review denied.

S146194 A112319 First Appellate District, Div. 5 **LAMPERTI (ANTHONY) v. U.S. BANK**
Petition for review & publication request denied.

S146217 H029250 Sixth Appellate District **PEOPLE v. AUSTIN (ANDRW S.)**
Petition for review denied.

S146222 F048164 Fifth Appellate District **PEOPLE v. MOORE (MATTHEW C.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S146229 B185235 Second Appellate District, Div. 2 **PEOPLE v. HONG (THAI)**
Petition for review denied.

S146233 C046852 Third Appellate District **PEOPLE v. QUEEN (ALLEN D.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S146260 B182681 Second Appellate District, Div. 6 **PEOPLE v. PARKER (JOSEPH M.)**
Petition for review denied.

S146263 B193063 Second Appellate District, Div. 6 **CHATTMAN (KENNETH) ON H.C.**
Petition for review denied.

S146286 B184718 Second Appellate District, Div. 7 **PEOPLE v. MOORE (LEANDER C.)**
Petition for review denied.

S146287 A115040 First Appellate District, Div. 5 **BUSH (RONNIE GENE) ON H.C.**
Petition for review denied.

S146295 B185759 Second Appellate District, Div. 5 **PEOPLE v. CUNDIFF (RYAN)**
Petition for review denied.

S146333 E039006 Fourth Appellate District, Div. 2 **PEOPLE v. UNRUH (DAVID R.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S146335 B186447 Second Appellate District, Div. 4 **MILLER (DONALD) ON H.C.**
Petition for review denied.

S146351 F048648 Fifth Appellate District **M. (JEFFREY) IN RE**
Petition for review denied.

S146369 C049253 Third Appellate District **PEOPLE v. HARVEY (JAMES D.)**
Petition for review denied.

S146370 B171536/B171374 Second Appellate District, Div. 8 **PEOPLE v. HAYES (HENRY C.)**
Petition for review denied.

S146374 D046531 Fourth Appellate District, Div. 1 **PEOPLE v. GAMAZON (ROWELL R.)**
Petitions for review denied.

S146377 B186335 Second Appellate District, Div. 3 **GLOVER (BRUCE M.) v. S.C. (DENTSPLY INTERNATIONAL, INC.)**

Petition for review denied.

S146379 B178442 Second Appellate District, Div. 1 **PEOPLE v. WATTS (TORY C.)**
Appellant Hardridge's petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law. Appellant Watts' petition for review denied.

S146386 H028300 Sixth Appellate District **PEOPLE v. DUARTE (ERIC C.)**
Petition for review denied.

S146427 H028734 Sixth Appellate District **PEOPLE v. REYES (MANUEL)**
Petition for review denied.

S146435 E037517 Fourth Appellate District, Div. 2 **PEOPLE v. VANDERBERG (LARRY A.)**
Petition for review denied.

S146449 H028837 Sixth Appellate District **PEOPLE v. FOSTER (MORRIS A.)**
Petition for review denied; CA opinion decertified. The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed August 2, 2006, which appears at 141 Cal.App.4th 1285. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

S146455 F048182 Fifth Appellate District **PEOPLE v. SUCCAW (CHRISTOPHER)**
Petition for review denied.
Baxter, J., was recused and did not participate.

S146465 H029209 Sixth Appellate District **PEOPLE v. SILVA(AARON J.)**
Petition for review denied.

S146468 A114818 First Appellate District, Div. 1 **NORTHROP (THOMAS) ON H.C.**
Petition for review denied.

S146475 C047476 Third Appellate District **PEOPLE v. HANSEN (ADAM B.)**
Petition for review denied.

S146489 H026676 Sixth Appellate District **PEOPLE v. BLANCARTE (LEOBARDO B.)**
Petitions for review denied.
Baxter and Moreno, JJ., are of the opinion the petition should be granted.

S146490 B186616 Second Appellate District, Div. 4 **PEOPLE v. CARRANZA (JUAN J.)**
Petition for review denied.

S146498 C048336 Third Appellate District **PEOPLE v. UNION PACIFIC RAILROAD**
Petition for review denied.

S146503 B186286 Second Appellate District, Div. 2 **PEOPLE v. MUSE (ANTHONY)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Alford*, S142508.

S146504 E038315 Fourth Appellate District, Div. 2 **PEOPLE v. WOLFROM (LESLIE M.)**
Petition for review denied.

S146506 B183266 Second Appellate District, Div. 3 **PEOPLE v. JOHNSON (DEREK)**
Petition for review denied.

S146512 F051026 Fifth Appellate District **BROWN (JAMES) ON H.C.**
Petition for review denied.

S146513 A106925 First Appellate District, Div. 5 **PEOPLE v. MCCLENDON (JAMES)**
Petition for review denied.

S146514 A112619 First Appellate District, Div. 1 **TEMPLE (ALETTE) v. KORS (NANCY)**
Petition for review & publication request denied.

S146519 E037596 Fourth Appellate District, Div. 2 **PEOPLE v. GRINCERI (ELENA)**
Petitions for review denied.

S146520 B186303 Second Appellate District, Div. 6 **SPITERI (CARMEL) v. STATE OF CALIFORNIA**
Petition for review denied.

S146535 C048584 Third Appellate District **PEOPLE v. HENRY (DEJUAN D.)**
Petition for review denied.

S146537 A108735 First Appellate District, Div. 5 **PEOPLE v. BROWN (TRAVELL)**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S146540 E036687 Fourth Appellate District, Div. 2 **PEOPLE v. TAYLOR (DARRELL K.)**
Petition for review denied.

S146559 B185370 Second Appellate District, Div. 1 **FRASIER (DANIEL L.) v. HANSON (BRUCE)**
Petition for review & publication request denied.

S146564 F047073 Fifth Appellate District **PEOPLE v. BERTAO (MANUEL E.)**
Petition for review denied.

S146571 D047776 Fourth Appellate District, Div. 1 **ZEPEDA (RICHARD S.) ON H.C.**
Petition for review denied.

S146582 D048461 Fourth Appellate District, Div. 1 **E. (JORGELINA) v. S.C. (SAN DIEGO COUNTY HEALTH & HUMAN SERVICES AGENCY)**
Petition for review & publication request denied.

S146584 B163699 Second Appellate District, Div. 6 **PEOPLE v. FREDERICK (JOAN)**
Petitions for review denied without prejudice to any relief to which defendants Mercedes Navarette and Joan Frederick might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law. Defendant Felix Navarette did not raise the Blakely issue and in any event was not sentenced to aggravated or consecutive terms.

S146591 B193405 Second Appellate District, Div. 6 **CELIS (MIGUEL ANGEL) ON H.C.**
Petition for review denied.

S146592 D048874 Fourth Appellate District, Div. 1 **MARTINEZ (LAWRENCE) ON H.C.**
Petition for review denied.

S146605 D046784 Fourth Appellate District, Div. 1 **PEOPLE v. PINA (MYLES K.)**
Petition for review denied.

S146630 B171536 Second Appellate District, Div. 8 **HAYES (HENRY) ON H.C.**
Petition for review denied.

S146640	B183794 Second Appellate District, Div. 6	STERNBERG, HORNER, & ASSOCIATES v. EMERALD INTERNATIONAL SECURITY GROUP
Petition for review denied.		
S146643	E036880 Fourth Appellate District, Div. 2	PEOPLE v. CAMARGO (BENJAMIN)
Petition for review denied.		
Kennard, J., is of the opinion the petition should be granted.		
S146650	B188644 Second Appellate District, Div. 8	BANKSTON (JULIUS) ON H.C.
Petition for review denied.		
Kennard, J., is of the opinion the petition should be granted.		
S146669	G035868 Fourth Appellate District, Div. 3	BALCOF, MARRIAGE OF
Petition for review denied.		
S146682	E037832 Fourth Appellate District, Div. 2	PEOPLE v. MAGEO (DAVID V.)
Petition for review denied.		
S146687	F049434 Fifth Appellate District	W. (PENNY) CONSERVATORSHIP OF
Petition for review denied.		
S146688	B193150 Second Appellate District, Div. 6	BERGNE (PETER) ON H.C.
Petition for review denied.		
S146692	G036067 Fourth Appellate District, Div. 3	PEOPLE v. GOMEZ (ROBERTO)
Petition for review denied.		
S146701	B183421 Second Appellate District, Div. 2	DEDICATION AND EVERLASTING LOVE TO ANIMALS v. LOS ANGELES COUNTY, DEPT. OF ANIMAL CARE & CONTROL
Petition for review denied.		
S146715	H030582 Sixth Appellate District	DUONG (SANG VAN) ON H.C.
Petition for review denied.		
S146740	A112640 First Appellate District, Div. 3	NEW UNITED MOTORS MFG., INC. v. W.C.A.B. (GALLEGOS)
Petition for review & depublication request denied.		

S146766	C051885 Third Appellate District HIGHWAY PATROL)	KOPPING (ED) v. W.C.A.B. (CALIFORNIA
Petition for review denied.		
S146778	A115154 First Appellate District, Div. 4	KOHLER (DAVID) IN RE H.C.
Petition for review denied.		
S146824	B182004 Second Appellate District, Div. 7	PEOPLE v. SERRANO (FRANCISCO)
Petition for review denied.		
S146838	G037324 Fourth Appellate District, Div. 3	HILTON SUITES v. WCAB (PENA)
Petition for review denied.		
S146840	B172642 Second Appellate District, Div. 7	PAGARIGAN (TERI) v. GREATER VALLEY MEDICAL GROUP, INC.
Petition for review & publication request denied.		
S146843	F048577 Fifth Appellate District	JOHNSON (KARON) v. MONTEGANI (BERNADETTE)
Petition for review & depublication request denied.		
S146867	B185910 Second Appellate District, Div. 8	LOPES (WILLIAM) v. DE LA SALLE INSTITUTE
Petition for review denied.		
S146869	B181840 Second Appellate District, Div. 1	BORTEN (LISA) v. SANTA MONICA RENT CONTROL BOARD
Petition for review denied.		
S146877	A108697 First Appellate District, Div. 2	CALIFORNIA CONSUMER HEALTH CARE COUNCIL v. KAISER FOUNDATION HEALTH PLAN, INC.
Petition for review denied.		
Werdegarr, J., was recused and did not participate.		
S146879	C053545 Third Appellate District (FARMERS INSURANCE COMPANY)	TRICHE-WINSTON (ALMA) v. S.C.
Petition for review and motion to file under seal denied.		

S146885	B192524 Second Appellate District, Div. 2	MENA (GUILLERMO) ON H.C.
Petition for review denied		
S146896	A109293 First Appellate District, Div. 5	BENNETT (GENE) v. LACI LE BEAU CORPORATION
Petition for review denied.		
S146903	F047503 Fifth Appellate District	PEOPLE v. RUA (FAUSTINO)
Petition for review denied.		
S146923	D047820/D046447 Fourth Appellate District, Div. 1	PEOPLE v. GARCIA (FELIPE)
Petitions for review denied.		
S146987	A108464 First Appellate District, Div. 3	PEOPLE v. NORDLOF (MICHAEL B.)
Petition for review denied.		
S146990	H028649 Sixth Appellate District	BURNS (THOMAS) v. CITY OF LOS ALTOS
Petition for review denied.		
S146992	E038345 Fourth Appellate District, Div. 2	A. (ALEX), IN RE
Petition for review denied.		
S146994	G036078 Fourth Appellate District, Div. 3	PEOPLE v. MENDEZ (MANUEL)
Petition for review denied.		
S147000	G035762 Fourth Appellate District, Div. 3	PEOPLE v. RAY (VIETTA L.)
Petition for review denied.		
S147001	A108335 First Appellate District, Div. 5	PEOPLE v. PHAM (HOANG V.)
Petition for review denied.		
S147003	G035855 Fourth Appellate District, Div. 3	PEOPLE v. PHILLIPS (JOHN P.)
Petition for review denied.		
S147009	B188376 Second Appellate District, Div. 8	PEOPLE v. VELEZ (RICARDO T.)
Petition for review denied.		

S147013 B187276 Second Appellate District, Div. 2 **MILLER (JAMES B.) v. FIRST AMERICAN
TITLE INSURANCE COMPANY**

Petition for review denied.

S147015 A111694 First Appellate District, Div. 4 **PEOPLE v. TATE (ARCHIE R.)**
Petition for review denied.

S147016 F048089 Fifth Appellate District **SHANNON v. NAVARRO (BELINDA)**
Petition for review denied.

S147024 B190068 Second Appellate District, Div. 6 **S.(ALIZE), IN RE**
Petition for review denied.

S147031 A110371 First Appellate District, Div. 5 **PEOPLE v. SELU (WAYNE)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147036 E038286 Fourth Appellate District, Div. 2 **PEOPLE v. MASTERS (MICHAEL G.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147037 B180717 Second Appellate District, Div. 2 **CUTLEY (EARNEST) v. MCCAULEY
(JESSE)**
Petition for review denied.

S147038 H029676 Sixth Appellate District **R. (GEORGE), IN RE**
Petition for review denied.

S147039 B182555 Second Appellate District, Div. 5 **CEBULAR (JOHN) v. COOPER ARMS
HOMEOWNERS ASSOCIATION**
Petition for review denied.

S147043 A109358 First Appellate District, Div. 1 **PEOPLE v. ARTHUR (TIMOTHY)**
Petition for review denied.

S147049 E040760 Fourth Appellate District, Div. 2 **SHAFIQ (KHALIL) v. TONG (SHONG-
CHING)**
Petition for review and application for stay denied.

S147050 A110844 First Appellate District, Div. 1 **PEOPLE v. TURNBULL (ANTHONY W.)**
Petition for review denied.

S147052 F047737 Fifth Appellate District **PEOPLE v. ESCUTIA (MARCOS A.)**
Petition for review denied.

S147053 B183009 Second Appellate District, Div. 1 **PEOPLE v. COPELAND (OTIS A.)**
Petition for review denied.

S147056 C049587 Third Appellate District **PEOPLE v. RAWLINSON (RUSSELL G.)**
Petition for review denied.

S147067 B187939 Second Appellate District, Div. 8 **PEOPLE v. DOUGLAS (JOE M.)**
Petition for review denied.

S147068 B174594 Second Appellate District, Div. 2 **THOMPSON (CHAD A.) v. COUNTY OF
LOS ANGELES**
Petition for review denied.

S147071 C049570 Third Appellate District **PEOPLE v. WILLIAMS (ANTONIO)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147074 A115288 First Appellate District, Div. 5 **PILLARS (WILLIAM) ON H.C.**
Petition for review denied.

S147075 B184701 Second Appellate District, Div. 6 **PEOPLE v. LOWERISON (JOHN B.)**
Petition for review denied.

S147077 E037707 Fourth Appellate District, Div. 2 **PEOPLE v. DITMAR (JESS J.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147078 E038606 Fourth Appellate District, Div. 2 **PEOPLE v. DUPREE (RAYFIELD)**
Petition for review denied.

S147080 E038375 Fourth Appellate District, Div. 2 **PEOPLE v. GUZMAN (ROMAN)**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147081 G036116 Fourth Appellate District, Div. 3 **PEOPLE v. VALADEZ (RAFAEL)**
Petition for review denied.

S147082 B188045 Second Appellate District, Div. 3 **PEOPLE v. AGUILERA (CARLOS)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147084 B183294 Second Appellate District, Div. 1 **PEOPLE v. SWAFFORD (BRUCE)**
Petition for review denied.

S147091 G037352 Fourth Appellate District, Div. 3 **STRAUB DISTRIBUTING v. WCAB (BEGA)**
Petition for review denied.

S147093 F049347 Fifth Appellate District **PEOPLE v. MCDOWELL (JAMES A.)**
Petition for review denied.

S147095 E037574/D048428 Fourth Appellate District, Div. 1 **PEOPLE v. BROWN (ERIC L.)**
Petition for review denied.

S147096 F048497 Fifth Appellate District **PEOPLE v. SPENCE (EDDIE C.)**
Petition for review denied.

S147097 B184334 Second Appellate District, Div. 4 **PEOPLE v. CLAIR (JAMES E.)**
Petition for review denied.

S147098 B185133 Second Appellate District, Div. 5 **PEOPLE v. MAGEE (EXCELL)**
Petition for review denied.

S147099 A111173 First Appellate District, Div. 1 **PEOPLE v. BRACEY (CHARLES H.)**
Petition for review denied.

S147105 G036158 Fourth Appellate District, Div. 3 **SELBY (AMANDA) v. CINGULAR
WIRELESS LLC**

Petition for review denied.

S147106 A112440 First Appellate District, Div. 1 **PEOPLE v. REYES (IVAN)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Alford*, S142508.

S147108 B184108 Second Appellate District, Div. 8 **PEOPLE v. O'RISE (RICKY E.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147112 B184367 Second Appellate District, Div. 1 **PEOPLE v. SIMRIL (ROBERT L.)**
Petition for review denied.

S147115 F049732 Fifth Appellate District **P. (STEVEN), IN RE**
Petition for review denied.

S147116 E041345 Fourth Appellate District, Div. 2 **TONG (SHONG-CHING) v. S.C. (SHAFIQ)**
Petition for review denied.

S147117 D048972 Fourth Appellate District, Div. 1 **O'CONNOR (ANDRZEJ) v. WCAB**
(QUALCOMM, INC.)
Petition for review denied.
Chin, J., was recused and did not participate.

S147120 C053651 Third Appellate District **JONES (WESLEY) ON H.C.**
Petition for review denied.

S147121 A107426 First Appellate District, Div. 2 **PEOPLE v. CRUZ (LOIDA)**
Petition for review denied.

S147124 B182163 Second Appellate District, Div. 2 **HIXSON (GEORGIANA) v. WOLFE
(GARY S.)**

Petition for review denied.

S147125 E039113 Fourth Appellate District, Div. 2 **PEOPLE v. OCHOA (JOSE A.)**
Petition for review denied.

Petition for review denied.

S147126 H029570 Sixth Appellate District **PEOPLE v. SMITH (LONNIE M.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147127 **BEHAR (JOSEPH) ON DISCIPLINE**
Petition for writ of review denied. The motion for relief from having to retake MPRE Examination denied.

Petition for writ of review denied. The motion for relief from having to retake MPRE Examination denied.

S147129 B187182 Second Appellate District, Div. 2 **PEOPLE v. JOHNSON (ROLAND)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147131 A113251 First Appellate District, Div. 1 **PEOPLE v. OCAMPO (ANTHONY)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147132 C049276 Third Appellate District **PEOPLE v. JONES (CHRISTOPHER M.)**
 Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147133 D047270 Fourth Appellate District, Div. 1 **PEOPLE v. DUMAS (MARK L.)**
Petition for review denied.

Petition for review denied.

S147134 B183306 Second Appellate District, Div. 6 **PEOPLE v. JACKSON (DAMION M.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Giles*, S129852.

Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Giles*, S129852.

S147137 E037973 Fourth Appellate District, Div. 2 **PEOPLE v. MARSHALL (JOSEPH T.)**
 Petition for review denied.

Petition for review denied.

S147140 F048538 Fifth Appellate District **PEOPLE v. MOODY (RONNIE L.)**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147153 A109205 First Appellate District, Div. 3 **PEOPLE v. MATTEUCCI (ANTHONY)**
Petition for review denied.

S147158 H027971 Sixth Appellate District **PEOPLE v. ALLEN (GARY L.)**
Petition for review denied.

S147160 F049217 Fifth Appellate District **PEOPLE v. CARRIZALES (BENITO M.)**
Petition for review denied.

S147161 B178527 Second Appellate District, Div. 7 **PEOPLE v. CARRILLO (HUGO)**
Petition for review denied.

S147162 B184747 Second Appellate District, Div. 4 **PEOPLE v. ROBINSON (JOEL D.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147163 B186470 Second Appellate District, Div. 5 **C. (ROLANDO), IN RE**
Petition for review denied.

S147164 B187956 Second Appellate District, Div. 5 **PEOPLE v. MALONE (MAURICE G.)**
Petition for review denied.

S147176 B184294 Second Appellate District, Div. 6 **PEOPLE v. RITCHIE (RICHARD P.)**
Petition for review denied.

S147177 A115175 First Appellate District, Div. 5 **SHARPER (VINNIE) ON H.C.**
Petition for review denied.

S147185 A110056 First Appellate District, Div. 5 **VALENTE (SUZANNE) v.**
UNUMPROVIDENT CORPORATION
Petition for review denied.

S147188 E039124 Fourth Appellate District, Div. 2 **PEOPLE v. BURGESS (KEVIN D.)**
Petition for review denied.

S147192 C053664 Third Appellate District
Petition for review denied.

NETTLES (GARY'ON) ON H.C.

S147196 B185247 Second Appellate District, Div. 3

DUNLAP (OMAR) v. S.C. (BANK OF AMERICA)

Request for judicial notice is granted as to documents 1 through 15 and denied as to documents 16 through 18.

Petition for review denied.

Chin, J., was recused and did not participate.

S147201 B184613 Second Appellate District, Div. 1

ANCHOR LIGHTING v. SOUTHERN CALIFORNIA EDISON COMPANY

Petition for review denied.

S147202 G035997 Fourth Appellate District, Div. 3

FARHANGI (GHAZAAL) v. BAZARGAN (HOMAYOUN)

Petition for review denied.

S147203 B193700 Second Appellate District, Div. 1

DUDLEY (CLYDE A.) ON H.C.

Petition for review denied.

S147205 F048359 Fifth Appellate District

PEOPLE v. DOZIER (LESTER)

Petition for review denied.

Baxter, J., was recused and did not participate.

S147206 F048560 Fifth Appellate District

PEOPLE v. GEROLAGA (SALVADOR D.)

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147207 B183433 Second Appellate District, Div. 2

PEOPLE v. GONZALEZ (JESUS L.)

Petition for review denied.

S147210 F048681 Fifth Appellate District

PEOPLE v. BUTLER (SHON M.)

Petition for review denied.

S147217 B183360 Second Appellate District, Div. 8

L. (MONISHA), IN RE

Petition for review denied.

S147222 D047115 Fourth Appellate District, Div. 1

AMERICAN MEAT INSTITUTE v. LEEMAN (WHITNEY R.)

Petition for review denied.

S147223 B187997 Second Appellate District, Div. 8 **AYALA (JOSE) v. LOS ANGELES CITY COLLEGE**

Petition for review denied.

S147224 A110704 First Appellate District, Div. 3 **MASSA (KENNETH) v. RUSKIN (ALLEN J.)**
Petition for review denied

S147229 H029920 Sixth Appellate District **G. (GABRIEL), IN RE**
Petition for review denied.

S147230 C050789 Third Appellate District **VANDERMOON (RONALD) v. SANWONG (CLARA J.)**

Petition for review denied.

Kennard and Werdegar, JJ., are of the opinion the petition should be granted.

S147234 E038404 Fourth Appellate District, Div. 2 **PEOPLE v. BUENROSTRO (RICHARD M.)**
Petition for review denied.

S147236 F047673 Fifth Appellate District **PEOPLE v. DIAZ (MARIO)**
Petition for review denied.

S147249 B181683 Second Appellate District, Div. 8 **H. (STEVEN), IN RE**
Petition for review denied.

S147252 A111921 First Appellate District, Div. 1 **PEOPLE v. SANDERSON (ROBIN R.)**
Petition for review denied.

S147253 E041303 Fourth Appellate District, Div. 2 **RACCA (JASON MARLON) ON H.C.**
Petition for review denied.

S147256 D042603/D049102 Fourth Appellate District, Div. 1 **CHANG (PETER) ON H.C.**
Petition for review denied.

S147258 E038082 Fourth Appellate District, Div. 2 **PEOPLE v. RODRIGUEZ (BRIAN L.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

- S147259** A112102 First Appellate District, Div. 3 **JONES (LAVERNE N.) v. WELLS FARGO BANK**
Petition for review denied.
Baxter and Corrigan, JJ., were recused and did not participate.
- S147260** H029584 Sixth Appellate District **G., (ADRIANA) IN RE**
Petition for review denied.
- S147261** H030537 Sixth Appellate District **KANDA (ROMESH C.) v. S.C. (PEOPLE)**
Petition for review and application for stay denied.
- S147266** B184419 Second Appellate District, Div. 7 **PEOPLE v. YOUNG (VINCENT J.)**
Petition for review denied.
- S147268** E041271 Fourth Appellate District, Div. 2 **KAPLAN (KEVIN S.) ON H.C.**
Petition for review denied.
- S147269** A110477 First Appellate District, Div. 5 **PEOPLE v. ANDERSON (TROY)**
Petition for review denied.
- S147271** B191696 Second Appellate District, Div. 4 **BURNS v. W.C.A.B. (CENTINELA VALLEY UNION HIGH SCHOOL)**
Petition for review and request for Judicial Notice denied.
- S147272** F048301 Fifth Appellate District **PEOPLE v. HER (JOE)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.
- S147275** B193469 Second Appellate District, Div. 7 **REMEDYTEMP, INC. v. W.C.A.B. (CALIFORNIA INSURANCE GUARANTEE ASSOC.)**
Petition for review denied.
- S147276** C053746 Third Appellate District **COOK (KERRY L.) v. S.C. (PEOPLE)**
Petition for review and application for stay denied.

S147279 C049936 Third Appellate District

**SERVICE EMPLOYEES
INTERNATIONAL UNION v. DEPT. OF
PERSONNEL ADMIN.**

Petition for review & depublication request denied.

S147292 D047122 Fourth Appellate District, Div. 1

PEOPLE v. GEHRKE (JESSE L.)

Petition for review denied.

S147301 C049623 Third Appellate District

**RORKE (MICHAEL) v. SISKIYOU
COUNTY (MOTHER MCCLOUD
ENTERPRISES)**

Petition for review denied.

S147304 G035362 Fourth Appellate District, Div. 3

**TEHRANI (SHAHNAZ E.) v. NEWPORT
SPORTS CORPORATION**

Petition for review denied.

S147305 B185017 Second Appellate District, Div. 2

PEOPLE v. MORALES (DANNY)

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147310 E040042 Fourth Appellate District, Div. 2

E. (MIRANDA), IN RE

Petition for review denied.

S147313 F048422 Fifth Appellate District

PEOPLE v. SOLOMON (MONETTE D.)

Petition for review denied.

S147325 B185003 Second Appellate District, Div. 8

PEOPLE v. WHITE (AMOS L.)

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147340 B187191 Second Appellate District, Div. 7

PEOPLE v. BENITEZ (ALEJANDRO)

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147346 E038742 Fourth Appellate District, Div. 2

PEOPLE v. GONZALEZ (CARLOS)

Petition for review denied.

S147359 B183725 Second Appellate District, Div. 7

PEOPLE v. BOYKIN (LEON D.)

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S147360 A115365 First Appellate District, Div. 1 **MONTOYA (AURELIO R.) ON H.C.**
Petition for review denied.

S147492 B193978 Second Appellate District, Div. 4 **CAMPBELL (TREMAIN) ON H.C.**
Petition for review denied.

S147525 **TONG (SHONG-CHING)v. S.C. (SHAFIQ)**
 Petition for writ of mandate/prohibition denied application for stay denied.

S147645 **ARTEAGA (LORENZO) v. S.C. (PEOPLE)**
 Petition for writ of mandate/prohibition denied.

S147837 B192289 Second Appellate District, Div. 2 **RONAN ENGINEERING COMPANY v.**
DDM GROUP, LLC

Petition for review and application for stay denied.

S132468 **SUAREZ (JUAN) ON H.C.**
 Petition for writ of habeas corpus denied.

S137405 **GARCIA (MANUEL E.) ON H.C.**
 Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S137733 Petition for writ of habeas corpus denied.	KAZAS (CHRISTOPHER) ON H.C.
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S139418 **SMITH (ERROL) ON H.C.**
 Petition for writ of habeas corpus denied. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Lindley* (1947) 29 Cal.2d 709; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S139498 Petition for writ of habeas corpus denied.	TAYLOR (MARKELLE N.) ON H.C.
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S139925 **CASTANEDA (DAVID H.) ON H.C.**
Petition for writ of habeas corpus denied.

S141381Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750.)**BAILEY (LAWRENCE L.) ON H.C.****S141566**

Petition for writ of habeas corpus denied.

LUCAS (CHARLES E.) ON H.C.**S141569**Petition for writ of habeas corpus denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**CAMP (CHRISTY MARIE) ON H.C.****S141590**

Petition for writ of habeas corpus denied.

MITCHELL (RUSSELL O.) ON H.C.**S141605**

Petition for writ of habeas corpus denied.

BELTRAN (MIGUEL) ON H.C.**S141617**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**REYES (DAVID) ON H.C.****S141618**

Petition for writ of habeas corpus denied.

TAYLOR (AARON) ON H.C.**S141619**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**WALCOTT (DARRYL) ON H.C.****S141620**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**MERRICK (LOUIS J.) ON H.C.****S141621**

Petition for writ of habeas corpus denied.

RAY (FLOYD EUGENE) ON H.C.**S141625**

Petition for writ of habeas corpus denied.

EL-SHADDAI (ADONAI) ON H.C.**S141670**

Petition for writ of habeas corpus denied.

RASH (TOBY) ON H.C.

S141676**WILLIAMS (JAMES S.) ON H.C.**Petition for writ of habeas corpus denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S141714****RAMIREZ (GREGORY) ON H.C.**

Petition for writ of habeas corpus denied.

S141749**REED (JAN WILLIAM) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750.)**S141765****MARTINEZ (WILLIAM NASH) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S141776****FULLER (ALBERT) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S141779****LEVEEN (KENNETH A.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)**S141785****GUARDINO (CYNTHIA M.) ON H.C.**

Petition for writ of habeas corpus denied.

S141798**MULLICK (HUE) ON H.C.**

Petition for writ of habeas corpus denied.

S141803**MATTHEWS (STEVEN) ON H.C.**

Petition for writ of habeas corpus denied.

S141805**JENKINS (SHERWOOD DON) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)**S141806****ARZUAGA (GREGORY) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)**S141816****YOUNGBLOOD (JESSE L.) ON H.C.**

Petition for writ of habeas corpus denied

S141817**WHITE (ROMEL VALENTINO) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S141824

EDWARDS (REGINALD) ON H.C.

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S141826

MARTIN (CURTIS) ON H.C.

Petition for writ of habeas corpus denied

S141833

BROWNLEE (TERRENCE) ON H.C.

Petition for writ of habeas corpus denied

S141834

GALLEGOS (RAMON B.) ON H.C.

Petition for writ of habeas corpus denied

S141849

YAGHOUB (HASAN A.) ON H.C.

Petition for writ of habeas corpus denied

S141855

RANGEL (RODRIGO) ON H.C.

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S141864

ODEN (WILBERT) ON H.C.

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734; *In re Dixon* (1953) 41 Cal.2d 756.)

S141878

HOWELL (STEVEN VINCENT) ON H.C.

Petition for writ of habeas corpus denied.

S141899

ROBERT (HOWARD L.) ON H.C.

Petition for writ of habeas corpus denied.

S141907

JOHNSON (DANIEL) ON H.C.

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S141910

GENTERY (JEROME LAMAR) ON H.C.

Petition for writ of habeas corpus denied.

S141911**LEWIS (AMOS K.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750.)**S141934****NOVELO (EDWARD A.) ON H.C.**

Petition for writ of habeas corpus denied.

S141942**MUDD (JOHN) ON H.C.**

Petition for writ of habeas corpus denied.

S141962**JOHNSON (KEITH D.) ON H.C.**

Petition for writ of habeas corpus denied.

S141965**YANDELL (RONALD D.) ON H.C.**

Petition for writ of habeas corpus denied.

S141966**SOLIS (ROLANDO) ON H.C.**

Petition for writ of habeas corpus denied.

S141967**RENEAU (PAUL) ON H.C.**

Petition for writ of habeas corpus denied.

S141968**ARZATE (JOSE) ON H.C.**

Petition for writ of habeas corpus denied.

S141969**SIERRA (TEODORO) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)**S141973****WHITE (JOSEPH) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S141989****HOWE (JAMES) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S141994****VASQUEZ (DAVID) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S141997****JACKSON (JOSEPH) ON H.C.**

Petition for writ of habeas corpus denied.

S142001

Petition for writ of habeas corpus denied.
Corrigan, J., was recused and did not participate.

FORD (SAMMIE) ON H.C.**S142002**

Petition for writ of habeas corpus denied.

LONG (MICHAEL) ON H.C.**S142003**

Petition for writ of habeas corpus denied.

WHITFIELD (STEPHEN) ON H.C.**S142005**

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218.)

THOMPSON (TIMOTHY) ON H.C.**S142006**

Petition for writ of habeas corpus denied.

ROBINSON (RUSLEY) ON H.C.**S142008**

Petition for writ of habeas corpus denied.

WASH (KENNETH J.) ON H.C.**S142012**

Petition for writ of habeas corpus denied.

ROE (JEFFREY) ON H.C.**S142016**

Petition for writ of habeas corpus denied.

SAMPSON (TERRANCE) ON H.C.**S142035**

Petition for writ of habeas corpus denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)

ZAYER (BASEM E.) ON H.C.**S142052**

Petition for writ of habeas corpus denied.

MORRIS (TARAY T.) ON H.C.**S142055**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

CAVER (DENELL) ON H.C.**S142056**

Petition for writ of habeas corpus denied.
Chin, J., and Corrigan, J., were recused and did not participate.

DARNES (TYRONE D.) ON H.C.

S142060**CASEY (TIMOTHY) ON H.C.**Petition for writ of habeas corpus denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S142158****MCNEIL (MICHAEL) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**S142169****MENDOZA (JOSE M.) ON H.C.**

Petition for writ of habeas corpus denied.

S142182**WYRICK (TIMOTHY L.) ON H.C.**

Petition for writ of habeas corpus denied.

S142184**MIXON (WILLIE) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S142185****WILSON (CLARENCE E.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2nd. 300,304; *People v. Duvall* (1995) 9 Cal. 4th 464,474; *In re Dexter* (1979) 25 Cal.3d 921.)**S142186****GRAJEDA (THOMAS) ON H.C.**

Petition for writ of habeas corpus denied.

S142189**COFFEE (MORRIS L.) ON H.C.**

Petition for writ of habeas corpus denied.

S142227**LANE (GEORGE M.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756; *In re Waltreus* (1965) 62 Cal.2d 218.)**S142231****DEWS (JAMES E.) ON H.C.**

Petition for writ of habeas corpus denied.

S142236**LEE (RONNIE) ON H.C.**

Petition for writ of habeas corpus denied.

S142238**KNOPF (STEVEN E.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S142288**HINES (WILLIE MAURICE) ON H.C.**

Petition for writ of habeas corpus denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S142333**SANCHES (SHANE R.) ON H.C.**

Petition for writ of habeas corpus denied.

S142380**TATE (LEROY) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S142397**HERNANDEZ (JESUS JOSE) ON H.C.**

Petition for writ of habeas corpus denied.

S142405**SARIASLAN (RAMIN) ON H.C.**

Petition for writ of habeas corpus denied.

S142408**GEBREZGIABHER (TEKLEZGI) ON H.C.**

Petition for writ of habeas corpus denied.

S142575**COFFEE (MORRIS L.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S142858**GARCIA (MANUEL) ON H.C.**

Petition for writ of habeas corpus denied.

S143288**MORRIS (TARAY T.) ON H.C.**

Petition for writ of habeas corpus denied.

S143588**PRICE (FRED) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S144226Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**BALL (RICHARD) ON H.C.****S144229**

Petition for writ of habeas corpus denied.

WILLIAMS (JOHN WESLEY) ON H.C.**S144299**

Petition for writ of habeas corpus denied.

VARGAS (RAY ANTHONY) ON H.C.**S144314**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**MIXON (WILLIE) ON H.C.****S145519**

Petition for writ of habeas corpus denied.

EL-SHADDAI (ADONAI) ON H.C.**S146137**

Petition for writ of habeas corpus denied.

WOODCOX (GREGORY S.) ON H.C.**S146494**

Petition for writ of habeas corpus denied.

WELCH (EUGENE E.) ON H.C.**S146614**

Petition for writ of habeas corpus denied.

STEINER (RONALD E.) ON H.C.**S146970**

Petition for writ of habeas corpus denied.

AMIE (ERICK L.) ON H.C.**S146977**

Petition for writ of habeas corpus denied.

MCDONALD (JERMAINE C.) ON H.C.**S147008**

Petition for writ of habeas corpus denied.

ALDRICH (BRIAN) ON H.C.**S147054**Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**WELCH (EUGENE E.) ON H.C.****S147060****LIGGINS (ORIENTHAL D.) ON H.C.**

Petition for writ of habeas corpus denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

S147073

PRICE (FRED) ON H.C.

Petition for writ of habeas corpus denied.

S147086

AARON (BUCK) ON H.C.

Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S147090

FALCON (CARLOS P.) ON H.C.

Petition for writ of habeas corpus denied.

S147172

WILLIAMS (BRAD A.) ON H.C.

Petition for writ of habeas corpus denied.

S147211

SAWYER (JOHNNY) ON H.C.

Petition for writ of habeas corpus denied.

S147237

MCCOY (GERALD) ON H.C.

Petition for writ of habeas corpus denied.

S147343

CAMPBELL (MARY E.) ON H.C.

Petition for writ of habeas corpus denied.

S147344

FRAIHAT (FAOUR A.) ON H.C.

Petition for writ of habeas corpus denied.

S147347

ALLEN (GEORGE N.) H.C.

Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S147355

ALVES (BRENT D.) ON H.C.

Petition for writ of habeas corpus denied.

S147369

ESTRADA (ROBERT R.) ON H.C.

Petition for writ of habeas corpus denied.

S147408

ROWLETT (GALEN DEAN) ON H.C.

Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S147422

Petition for writ of habeas corpus denied.

JENKINS (DEBRA) ON H.C.**S147460**

Petition for writ of habeas corpus denied.

TUCKER (LARRY E.) ON H.C.**S147466**

Petition for writ of habeas corpus denied.

NEGRETE (JESUS) ON H.C.**S147487**

Petition for writ of habeas corpus denied.

BROWN (WANDA) ON H.C.**S147493**

Petition for writ of habeas corpus denied.

NEAL (BYRON L.) ON H.C.**S147545**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dexter* (1979) 25 Cal.3d 921.)**BARRIENTOS (MICHAEL) ON H.C.****S147550**

Petition for writ of habeas corpus denied.

HUNTER (WESLEY W.) ON H.C.**S147562**

Petition for writ of habeas corpus denied.

OAKLEY (MATTHEW) ON H.C.**S147571**

Petition for writ of habeas corpus denied.

VILLAGRANA (AMBROSIO) ON H.C.**S147589**

Petition for writ of habeas corpus denied.

BUTLER (FRANK) ON H.C.**S147619**Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**WILLIAMS (ERIC) ON H.C.****S147648**

Petition for writ of habeas corpus denied.

HOLGUIN (JOSE) ON H.C.

S147765**HEREDIA (CYNTHIA) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S147781**GOODEN (DONALD) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S118405**CHACON ON DISCIPLINE**

Order: (dispositive). The motion of respondent Juan Chacon to remand this matter to the State Bar Court is denied. Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above entitled matter is lifted, and JUAN CHACON, State Bar No. 141465, must be actually suspended from the practice of law for one year. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is also ordered that he take and pass the State Bar Ethics School within one year after the effective date of this order. It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Credit toward the period of actual suspension will be given for the period of involuntary inactive enrollment which commenced on September 22, 2006 (Business and Professions Code section 6007(d)(3)). Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S146170 B188875/B187790/B184976 Second Appellate District, Div. 4 **7 ELEVEN, INC. v. DEPT.OF ABC (JOLLY)**

Publication request denied (case closed).

S146521 A109834 First Appellate District, Div. 1 **CANNING (EMILE) v. CITY AND
COUNTY OF SAN FRANCISCO
FRANCISCO**

Publication request denied (case closed).

S146744 B187572 Second Appellate District, Div. 4 **G. (ALICIA), IN RE**
Publication request denied (case closed).

S146833 B188351 Second Appellate District, Div. 2 **H. (SHERITA), IN RE**
Publication request denied (case closed).

S146836 B179207 Second Appellate District, Div. 4 **INITIATIVE PARTNERS v. CALIFORNIA
DEPARTMENT OF HEALTH SERVICES**
Publication request denied (case closed).

S147041 C049340 Third Appellate District **DAIMLERCHRYSLER MOTORS v. LEW
WILLIAMS, INC.**
Depublication request denied (case closed).

S147270 B184465 Second Appellate District, Div. 4 **ROSE (STEPHEN) v. SHARON CARE
CENTER**
Publication request denied (case closed).

S147280 E039315 Fourth Appellate District, Div. 2 **PEOPLE v. PHETDAOHEUANG (KEVIN)**
Publication request denied (case closed).

S147362 C051402 Third Appellate District **PEOPLE v. BALDWIN (GARY D.)**
Depublication request denied (case closed).

S147332 B193545 Second Appellate District, Div. 2 **WARTH (BRIAN) ON H.C.**
Extension of time granted. On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the answer to the petition for review is hereby extended to November 28, 2006. The answer must be faxed to our office in San Francisco by close of business November 28, 2006. No further extensions of time are contemplated.

S044693**PEOPLE v. WALL (RANDALL C.)**

Order appointing Habeas Corpus Resource Center filed. The order appointing Michael G. Millman, as Executive Director of the California Appellate Project, to serve as interim habeas corpus/executive clemency counsel of record for appellant Randall Clark Wall, filed July 12, 2006, is hereby vacated. The Habeas Corpus Resource Center is hereby appointed to represent appellant Randall Clark Wall for habeas corpus/executive clemency proceedings related to the above automatic appeal now pending in this court.

S144112 C050803/C050274 Third Appellate District**B. (LINO), IN RE**

Counsel appointment order filed. Upon request of appellant for appointment of counsel, the Central California Appellate Program is hereby appointed to represent appellant on the appeal now pending in this court. Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

S145231

G035001 Fourth Appellate District, Div. 3

PEOPLE v. LAMAS (ROBERT A.)

Counsel appointment order filed. Upon request of appellant for appointment of counsel, Howard Stechel is hereby appointed to represent appellant on the appeal now pending in this court. Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

S095223**PEOPLE v. BLOOM (ROBERT MAURICE)**

Record augmentation denied. Appellant's "Motion to Vacate Certification, or, in the Alternative, to Correct, Augment and Settle the Record" is denied. This denial is without prejudice to the filing in this court of a renewed motion to augment the record if supported by a proper showing that any proffered copies of documents allegedly missing from the record are, in fact, of documents that were filed or lodged in the case in superior court. (Cal. Rules of Court, rule 12(a).)

S029453**PEOPLE v. ROYBAL (RUDOLPH J.)**

Motion denied. Appellant's "Motion for Current Habeas Counsel to Have Access to Confidential Status Reports and Funding Requests Filed by Former Appellate and Habeas Counsel and Administrative Updates Submitted by the California Appellate Project Concerning Prior Counsel," filed August 21, 2006, seeking an order from this court granting him the opportunity to have access to, inspect, and copy confidential records and files, is denied without prejudice to renewing the motion with expanded service. This court's practice is that requests by defense counsel to have access to, inspect, and copy defense documents related to former defense counsel's work on a case (e.g., confidential status reports, requests for habeas corpus funds, appellate billings, orders following requests for habeas corpus funds, and the like) contained in the confidential record of an automatic appeal must be served on all former defense counsel. Any former defense counsel has the right to file an objection, if he or she has one, to access, inspection, and copying of such documents by current counsel. This court will entertain a renewed motion. Appellant must serve the renewed motion and a copy of this order on the following former defense counsel: Elizabeth A. Barranco, Russell S. Babcock, Barry L. Morris, Jack Campbell, and Kathleen Cannon. Appellant must also serve the renewed motion and this order on any other individuals or parties required to be served.

S044693**PEOPLE v. WALL (RANDALL C.)**

Order filed. In conjunction with the orders filed July 12, 2006, vacating the appointment of Darlene M. Ricker to serve as appellate and habeas corpus/executive clemency counsel of record for appellant Randall Clark Wall in the above pending automatic appeal, and retaining jurisdiction to consider an order of reimbursement for hourly fees previously paid, Ricker is hereby ordered to reimburse the court the sum of \$192,125, subject to her ability to demonstrate to the court that she should be credited, as appropriate, for appellate or habeas corpus "work performed that is determined by the court to be of value to the court." (See "Payment Guidelines for Appointed Counsel Representing Indigent Criminal Appellants in the California Supreme Court," guideline V ["Court Action Upon Nonperformance of Work, and Reimbursement of Fees Upon Authorized Withdrawal of Appointed Counsel"], subpt. B.)

S142741**CLARK (ROYAL) ON H.C.**

Motion to file document under seal denied. Petitioner's application for leave to file exhibits 366-369 under seal, filed April 19, 2006, is denied. As to exhibits 366, 368 and 369, denial is without prejudice to the submission of a new motion accompanied by proof of authorization to disclose the confidential records to this court, or argument as to why such authorization is not required. It does not appear at this time that either the individuals to whom the exhibits pertain or the juvenile court have authorized petitioner to disclose this information to this court. The clerk of this court is directed to file exhibit 367 unsealed. The clerk of this court is further directed to return to petitioner exhibits 366, 368 and 369.

S144226**BALL (RICHARD) ON H.C.**

Order filed. Due to clerical error, the order filed on November 15, 2006, denying the petition for writ of habeas corpus is hereby vacated. This matter is still pending before the court.

S144501

E038046 Fourth Appellate District, Div. 2

PEOPLE v. ALICE (JEFFREY S.)

Motion denied.

S146461

Petition denied

(accusation)

FRODSHAM, ACCUSATION OF**S146486**

Petition denied

(accusation)

CONNELLY (MARLENE), ACCUSATION OF**S146568**

Petition denied

(accusation)

LAW (STEPHEN), ACCUSATION OF**S146590**

Petition denied

(accusation)

DIXIE (JAMES), ACCUSATION OF**S146665**

Petition denied

(accusation)

LIU (TRICIA), ACCUSATION OF**S146739****ZARATZIAN (RHODA), ACCUSATION OF**

Petition denied (accusation)

S146842

ALI (LISA), ACCUSATION OF

Petition denied (accusation)

S147111

FOX (BENNETT), ACCUSATION OF

Petition denied (accusation)

S144524

PARKER (DARNEL) ON DISCIPLINE

Pet/writ of review & stay request denied; disbarred. Good cause being shown, the Request for Judicial Notice of the State Bar Court original file in the matter of Darnell A. Parker, SBC 04-O-11877, is granted. Good cause being shown, the Petition to Augment Record on Appeal with documents filed or lodged in this matter with the State Bar Court subsequent to the transmittal of the record to this court on June 21, 2006, is granted. The remainder of the Petition to Augment Record is denied. Application for stay and petition for Review is denied. It is hereby ordered that DARNEL A. PARKER, State Bar No. 135739, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S146415

MADISON (MARK E.) ON DISCIPLINE

Recommended discipline imposed. It is ordered that MARK EDWARD MADISON, State Bar No. 158786, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 28, 2006. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See Segretti v. State Bar (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and one-half of said costs be paid with membership fees for the two billing cycles following the effective date of this order. It is further ordered that if respondent fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to Business and Professions Code section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S146416

LUTZ (ERNEST) ON DISCIPLINE

Recommended discipline imposed. It is ordered that ERNEST LUTZ, State Bar No. 182089, be suspended from the practice of law for three years and until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for 15 months. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 27, 2006. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See Segretti v. State Bar (1976) 15 Cal.3d 878, 891, fn.8.) Respondent is further ordered to comply with rule 955 of the

California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and one-half of said costs be paid with membership fees for the two billing cycles following the effective date of this order. It is further ordered that if respondent fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to Business and Professions Code section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code § 6126, subd. (c).)

S146417**DEMMA (NICHOLAS) ON DISCIPLINE**

Recommended discipline imposed. It is ordered that Nicholas George Demma, State Bar No. 47318, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 26, 2006. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10, and one-half of said costs be paid with membership fees for the years 2008 and 2009. It is further ordered that if Nicholas Demma fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S146418**CHOWDHURY (MASHIUR) ON DISCIPLINE**

Recommended discipline imposed It is ordered that Mashiur Rahman Chowdhury, State Bar No. 230982, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 18, 2006. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10, and one-half of said costs be paid with membership fees for the next two billing cycles. It is further ordered that if Mashiur Chowdhury fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S146419**DELL'OSSO (MICHAEL) ON DISCIPLINE**

Recommended discipline imposed. It is ordered that MICHAEL THOMAS DELL'OSSO, State Bar No. 103439, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for one year, as recommended by the Hearing Department of the State Bar Court in its decision filed on July 21, 2006, and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he must remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney

Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S147884**CAHILL (WILLIAM) ON RESIGNATION**

Voluntary resignation accepted. The voluntary resignation of WILLIAM RONALD CAHILL, State Bar No. 83153, as a member of the State Bar of California is accepted.

S147885**COHEN (PATRICIA) ON RESIGNATION**

Voluntary resignation accepted. The voluntary resignation of PATRICIA MURDOCK COHEN, State Bar No. 117682, as a member of the State Bar of California is accepted.

S147886**DALE (FRANK) ON RESIGNATION**

Voluntary resignation accepted. The voluntary resignation of FRANK DALE, State Bar No. 68803, as a member of the State Bar of California is accepted.

S147887**HALBLEIB (JOHN A.) ON RESIGNATION**

Voluntary resignation accepted. The voluntary resignation of JOHN A. HALBLEIB, State Bar No. 226299, as a member of the State Bar of California is accepted.

S147888**HARRINGTON (ROBERT L.) ON RESIGNATION**

Voluntary resignation accepted. The voluntary resignation of ROBERT L. HARRINGTON, State Bar No. 31900, as a member of the State Bar of California is accepted.

S148034**MARTIN (LEROY) ON RESIGNATION**

Resignation accepted with disc. proceeding pending.* The voluntary resignation of LEROY ALLAN MARTIN, State Bar No. 137619, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S148036**FENILI (MARY L.) ON RESIGNATION**

Resignation accepted with disc. proceeding pending.* The voluntary resignation of MARY L. FENILI, State Bar No. 79033, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that she

comply with rule 955 of the California Rules of Court and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* It is recommended that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

